

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

LEON DAVIS,

Plaintiff,

No. 06-CV-15130-DT

vs.

Hon. Gerald E. Rosen

DR. VADLAMUDI SEETHA, et al.,

Defendants.

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ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION AND DISMISSING PLAINTIFF'S COMPLAINT

At a session of said Court, held in the  
U.S. Courthouse, Detroit, Michigan  
on September 28, 2007

PRESENT: Honorable Gerald E. Rosen  
United States District Judge

This Section 1983 prisoner civil rights matter having come before the Court on the August 27, 2007 Report and Recommendation of United States Magistrate Judge R. Steven Whalen recommending that the Court grant Defendants' motion for dismissal and/or summary judgment; and no timely objections having been filed; and the Court having reviewed the Magistrate Judge's Report and Recommendation, and the Court's entire file of this action, and having concluded that, for the reasons stated in the Report and Recommendation, Defendants' motion for dismissal should be granted and this case should, accordingly be dismissed in its entirety, with prejudice; and the Court being otherwise fully advised in the premises,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation of August 27, 2007 be, and hereby is, adopted by this Court.

IT IS FURTHER ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, Defendants' Motion for Dismissal and/or Summary Judgment be, and hereby is, GRANTED and Plaintiff's Complaint is DISMISSED in its entirety with prejudice. Based on the foregoing, this Court certifies that any appeal by Plaintiff would be frivolous and not in good faith. 28 U.S.C. § 1915(a).

s/Gerald E. Rosen  
Gerald E. Rosen  
United States District Judge

Dated: September 28, 2007

I hereby certify that a copy of the foregoing document was served upon counsel of record on September 28, 2007, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry  
Case Manager